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Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

LUCAS BRUNO III, CHRISTOPHER) CIVIL NO. 03-00567 JMS BMK
GAHR, FRANK ROBERT PAULSON,)
CHARLES TURNER, and TOM) DEFENDANT'S PROPOSED SPECIAL
YOUNG,) VOIR DIRE QUESTIONS;
) CERTIFICATE OF SERVICE
Plaintiffs,)
)
vs.)
)
MICHAEL CHERTOFF, Secretary,)
DEPARTMENT OF HOMELAND) Trial: April 24, 2007
SECURITY,) Judge: J. Michael Seabright
)
Defendant.)
)

DEFENDANT'S PROPOSED SPECIAL VOIR DIRE QUESTIONS

Defendant Michael Chertoff hereby submits the following list of questions to be addressed to prospective jurors in voir dire:

1. This case involves allegations of employment discrimination based on race and national origin and sex. Have you or any of your family members or close friends felt

discriminated against based on your/their race or national origin? Explain.

2. Have you or any of your family members or close friends ever been discriminated against based on sex, color, or age? Explain.

3. Other than the situations already described, have you or any member of your family or close friend, ever filed a grievance or complaint at your/their place of employment? Explain.

4. Have any of you, or your family members or close friends been involved in disputes, conflicts, or litigation with the Equal Employment Opportunity Commission? Explain.

5. Have any of you been or are any of you now held any position of authority in a union, such as steward? Explain.

6. Have you ever been demoted, transferred or terminated by a place of employment? Explain.

7. Have you ever applied for and been denied a promotion that you felt you deserved? Explain.

8. Are any of you or your family members or close friends lawyers or paralegals or work in some capacity requiring training in the law? Explain.

9. Have you ever been sued or participated in the defense of a lawsuit? Explain.

10. We all have certain personal beliefs regarding the law, some of which are strongly held. Is there anyone who would not be able to follow the law as instructed, if you strongly believed that the law was incorrect or should be changed?

11. The plaintiff has the burden of proving discrimination in this case. Do you feel you would be able to apply and hold Plaintiff to his burden of proof in this case? Do you feel that you will be able to follow the law and abide by the court's instructions that apply to the burden of proof?

DATED: April 3, 2007, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

/s/ Thomas A. Helper
By _____
THOMAS A. HELPER
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DEPARTMENT OF HOMELAND)
SECURITY,)
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on the date and by the method of service noted below, a true and correct copy of the foregoing was served on the following at their last known address:

Served by First Class Mail:

Moises A. Aviles April 3, 2007
Aviles & Associates
560 N. Arrowhead Ave., Suite 2A
San Bernardino, CA 92401

Served Electronically through CM/ECF:

G. Todd Withy April 3, 2007
Withy@lawcourt@aol.com, withy@lawcourt@aol.com

Attorneys for Plaintiff
CHRISTOPHER GAHR

DATED: April 3, 2007, at Honolulu, Hawaii.

/s/ Coleen Tasaka-Shoda